



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52983-2024
Date of decision: 11.11.2024

Chanpreet SinghPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. S.S.Swaich, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Short reply dated 10.11.2024, filed in the form of affidavit of Deputy Superintendent of Police, Circle Rajpura, District Patiala, on behalf of State-respondent, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
199	29.09.2024	118(1), 115(2), 191(3), 190 of the BNS	City Rajpura, District Patiala



3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case on account of party faction. He contends that no specific overt act is attributed to the petitioner and even, as per the FIR, no specific allegations have been levelled against him. He contends that the petitioner is ready to join the investigation. Hence, the instant petition seeking grant of anticipatory bail.

4. *Per contra*, learned State counsel referring to the short reply (*supra*) has submitted that the petitioner is alleged to have given *datar* (*dagger*) blow hitting on the left palm of the complainant. Besides, the petitioner having actively participated in the occurrence, where he along with 12 other persons had given multiple injuries to the complainant by fist and leg blows. He submits that the custodial interrogation of the petitioner is required for recovery of the weapon of offence. Hence, prays for dismissal of the petition.

5. After considering the rival contentions and perusing the record, it transpires that instant FIR was registered on the statement of Kulvir Singh, submitting that on 28.09.2024, he being the Supervisor was getting the scrap material and machine parts lifted to the backside of the factory with the help of Fork lifters driven by Rajan, but the present petitioner hit him on the back with brick bats accompanied by the co-accused persons, namely Bant Singh, Gurjant Kaur and Baljeet Singh and all of them started giving him beating. In the meanwhile, the

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petitioner took the *datar (daggar)* carried by the co-accused Bant Singh and hit the same on the head of the complainant who took his left hand to save himself hitting on the left palm. He had submitted that thereafter some of the associates of the petitioner came and gave multiple beatings to him and then ran away from the spot. Injured was shifted to the hospital and the instant FIR was registered. It further transpires that there is specific allegations against the petitioner of having given brick bat blow on the back of the complainant followed by another blow with *datar (daggar)* with sharp edged weapon towards the head of the complainant which in the process of saving himself landed on the left hand palm of the complainant. The injuries have been duly recorded by the medical board and keeping in view the aforesaid act and conduct of the petitioner, no case is made out in favour of the petitioner for grant of anticipatory bail to the petitioner as his custodial interrogation is fully required for recovery of the weapon of offence.

6. In these circumstances, without commenting on the merits of the case, instant petition seeking anticipatory bail to the petitioner is hereby dismissed.

(SANJIV BERRY)
JUDGE

11.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |